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SUBJECT: KAZAKHSTAN: BOUCHER DISCUSSES POLITICAL REFORM
WITH THE OPPOSITION

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Classified By: AMBASSADOR ORDWAY FOR REASONS 1.5 (b) AND (d)

11. (C) Summary: Kazakhstani opposition leaders told Assistant Secretary for South and Central Asian Affairs Richard Boucher that President Nazarbayev's recent statements regarding political reform do not reflect actual political will for change. They see the proposals as an effort to create the appearance of reform and bolster Kazakhstan's candidacy to chair the Organization for Security and Cooperation in Europe (OSCE), without diluting the power of the president or addressing the most serious deficiencies of the current system. Former Nazarbayev confidante Zharmakhan Tuyakbay believes any change to the structure of parliament will trigger early elections, while younger opposition leaders believe that such a scenario is likely only if Kazakhstan is chosen to head the OSCE. While some believe that it would be pointless to pursue judicial reform absent broader political liberalization, Tuyakbay has several ideas to improve the system. Opposition leaders unanimously see the monopolization of the electronic media by the Kazakhstani elite as the single greatest obstacle to political development, and also believe that official Russian propaganda is responsible for rising anti-Western and anti-U.S. sentiment. They repeated their call for the U.S. government to support independent satellite television in the region. Fall elections for local legislative bodies will be an important measure of the Kazakhstani government's willingness to undertake real reform, and therefore its readiness to lead the OSCE, according to the opposition. Tuyakbay, who now supports the chairmanship bid in the belief that it will spur reform, told the Assistant Secretary that his National Social Democratic Party will work for change from within the system. End summary.

12. (U) During his February 26-28 visit to Astana, Kazakhstan, Assistant Secretary for South and Central Asian Affairs Richard Boucher held a digital video conference with representatives of the opposition based in Almaty. True Ak Zhol co-chairmen Bulat Abilov, Oraz Zhandosov, and Tulegen Zhukeyev, as well as Civil Society Fund chairman Galymzhan Zhakiyanov, participated. Assistant Secretary Boucher also met with Zharmakhan Tuyakbay, chairman of the newly-registered National Social Democratic Party, in Astana. Ambassador Ordway, Caitlin Hayden, Pol-Econ chief (notetaker), and Aleksey Radovskiy (interpreter) also participated in the meetings.

Prospects for Reform

13. (SBU) Although the main opposition parties issued a joint

statement cautiously welcoming the reform ideas that President Nazarbayev put forward at the February 19 Democratization Commission session (Ref A), Assistant Secretary Boucher,s interlocutors were uniformly pessimistic

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about the level of political will for real change. Abilov asserted that the entire Democratization Commission process had been nothing more than an effort to give the appearance of dialogue with society, in the absence of a legitimate and representative parliament where such debate should take place. &If Nazarbayev really wants reform,8 Abilov said, &he knows what to do) he doesn,t need a commission to come up with ideas.8 The proposals Nazarbayev raised on February 19 are secondary issues that do not touch on the fundamental problems such as Kazakhstan,s flawed electoral legislation, control of mass media by the elite, and restrictions on freedom of assembly, Abilov said.

¶4. (SBU) Tuyakbay expressed much the same sentiment, describing Nazarbayev,s February 19 proposals as steps to &soften8 the system around the edges rather than in-depth reforms. Tuyakbay told Boucher that it was possible to liberalize the Kazakhstani political system without changing the constitution; the key, he said, was a new electoral law and concrete steps to ensure good elections by preventing the use of administrative resources and the falsification of results. He was disappointed in President Nazarbayev,s failure to utter &a single word8 about these issues.

Early Elections?

¶5. (SBU) Zhakiyanov predicted that even if the coming political reforms changed the structure of the parliament,

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President Nazarbayev would be unlikely to call early parliamentary elections. &He does not need them at the moment,8 Zhakiyanov said; recent mergers among pro-presidential parties were merely &artificial agitation8 designed to give the impression of political change. Zhakiyanov predicted that if Kazakhstan is chosen to chair the OSCE in 2009, however, Nazarbayev would hold early Mazhilis elections in order to avoid the increased international scrutiny that would accompany the chairmanship year.

¶6. (C) Tuyakbay minimized the significance of the parliamentary reforms that President Nazarbayev had suggested, claiming that expanding the power of party fractions would have no influence on the decision-making process. Even giving the parliamentary majority the right to form the government was just &empty talk8 in the current context of one-party rule, he said. In contrast to Zhakiyanov, however, Tuyakbay believes that there is a &90% chance8 that Nazarbayev will call early parliamentary elections if the reform process changes the structure of the parliament. Tuyakbay said that people in Nazarbayev,s inner circle were already talking about this. Noting that he had known Nazarbayev well for 25 years, the opposition leader said &he,s an emotional person) when he has an idea, he wants to implement it quickly.8 Changing the constitution and holding early elections would be intended as a &signal to the West8 that Kazakhstan is ready to chair the OSCE. Tuyakbay pointed to recent mergers of pro-presidential parties as evidence of such a plan.

Judicial Reform

¶7. (SBU) In response to Assistant Secretary Boucher,s question about the independence of the judiciary in Kazakhstan, Abilov and Zhakiyanov argued that real change

would not be possible without broader political reform. In particular, Abilov said that it would be impossible to root out corruption in the judiciary without liberalization of the system. Problems stemmed both from the power of the executive branch over the judiciary, and the prevalence of bribery.

¶18. (SBU) Tuyakbay, who served as Procurator General from 1990 to 1995, suggested concrete steps that should be taken to decrease the dependence of the judiciary on the executive branch. He would like the parliament to choose the members of the Supreme Court from a nationwide pool of candidates; any citizen with the necessary education and experience could submit an application. Tuyakbay also called for the lowest level of judges to be directly elected by the public, with appropriate screening for qualifications.

Mass Media

¶19. (SBU) Asked about the situation with mass media in Kazakhstan, Zhandosov informed Assistant Secretary Boucher that Rakhat Aliyev and Dariga Nazarbayeva had finally admitted that they own several television stations and other media outlets. They had denied this for eight years, even suing people who claimed that they controlled media outlets. Zhandosov noted with wry humor that they claimed to have purchased the outlets only in December 2006, but no one was stepping forward to say they were the sellers. Abilov chimed in that the Khabar television station had previously been registered in the name of Aliyev's driver.

¶10. (SBU) Abilov stressed that the existence of a handful of active independent newspapers did not mean that information flowed freely in Kazakhstan. Nazarbayev is a completely authoritarian ruler who will not permit the electronic media to discuss the problems that really concern the public, he said, and local leaders keep tight control over almost all print media in the regions. Tuyakbay estimated the total circulation of all independent newspapers at 100,000 or less.

¶11. (SBU) Zhakiyanov claimed that independent newspapers are severely hampered by the lack of revenue, as advertisers are persecuted by the authorities.⁸ There are no independent television stations. In urban areas, Zhakiyanov explained, most people receive cable television, which is controlled by the Kazakhstani elite and contains both local and Russian channels and certain international channels such as CNN and Euronews. The Kazakhstani authorities therefore have control

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of the flow of news in the cities. In rural areas, most people receive satellite television from Russian satellites such as Yamal and Yamal 2, which in turn are controlled by Gazprom. &It is not in the Kremlin's interest to permit the broadcast of alternative views in Kazakhstan,⁸ Zhakiyanov observed. Zhukeyev referred to a recent poll conducted in Russia which showed that 70% of Russians hold anti-Western or anti-U.S. views, which he attributed to official Russian propaganda transmitted via television.

¶12. (C) Both Zhakiyanov and Tuyakbay reiterated their earlier calls for the U.S. government to help establish an independent satellite network for the region (Ref B). Assistant Secretary Boucher noted that such a complex and expensive undertaking would have to be done on a commercial basis in order to succeed.

2007 Maslikhat Elections

¶13. (SBU) Zhandosov called Assistant Secretary Boucher's attention to fall 2007 elections for regional maslikhats (legislative bodies), which he described as an important

window into the Kazakhstani government,s attitude toward the OSCE chairmanship. Although maslikhats are not as powerful as local legislatures in &normal8 democracies, Zhandosov noted, they do have influence over issues such as local budgets. Because the members are elected directly, fair elections would provide a clear picture of what the populace actually thinks of the Kazakhstani government,s policies. Zhandosov warned that if the electoral law is not fixed in time, there will be serious falsifications and other violations in the local elections.

¶14. (SBU) Tuyakbay placed less emphasis on the maslikhats, claiming that in their current form they were purely &decorative8 bodies. In his opinion their only significant role is the formation of local election commissions. In a separate conversation with poloff, Tuyakbay said that his party would nevertheless support maslikhat candidates and viewed the conduct of the elections as an important sign of the Kazakhstani government,s willingness to undertake serious reforms.

Kazakhstan,s Bid to Chair the OSCE

¶15. (C) Abilov cautioned Assistant Secretary Boucher not to forget President Nazarbayev,s &Soviet8 background. Everything Nazarbayev says about wanting to chair the OSCE and democratize is merely a &sophisticated policy aimed at the U.S.8 rather than a true reflection of his goals and plans.

¶16. (SBU) Tuyakbay said that his opinion on the OSCE chairmanship bid had evolved. While at first he had categorically opposed it on the grounds that Kazakhstan did not meet OSCE standards, he now believes that a rejection of Kazakhstan,s bid would have negative consequences for the domestic political situation, including the strengthening of authoritarianism. He added that Nazarbayev might move closer to Russia and China as a result, choosing enhanced integration with the Shanghai Cooperation Organization and allocating Kazakhstan,s energy resources accordingly. Should Kazakhstan be selected as the chair, Tuyakbay believes that it will take certain positive steps toward democracy.

¶17. (C) In response to Assistant Secretary Boucher,s question, Tuyakbay predicted that as chair of the OSCE Kazakhstan would not overstep any boundaries or rules. It could however be expected to lobby for Russian interests on OSCE reform. Fundamentally, Kazakhstan,s desire to lead the organization is tied to Nazarbayev,s personal ambitions and desire for international respect, Tuyakbay said.

The Way Forward

¶18. (C) Tuyakbay told Assistant Secretary Boucher that he has a clear plan for where he wants to take his National Social Democratic party between now and the next presidential elections in 2012. &After the last elections, I concluded that strict opposition will not bring any useful results,8 Tuyakbay said. The opposition,s weak ability to convey information to the public cannot compete with the powerful

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state machine. It is therefore necessary to find ways to work constructively with the authorities, to develop levers to influence them, and to demonstrate that his party is seeking gradual change rather than revolution. His goal is to win as many maslikhat and parliamentary seats as possible, and then work for change from within the system. Tuyakbay said that Nazarbayev told him in September 2006 that he believed Kazakhstan needed an opposition movement that would criticize the government, on condition that it did not &stir up the people.8 Tuyakbay took that to mean that Nazarbayev

would tolerate any opposition movement that did not represent
a direct threat to his own power.
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